

117TH CONGRESS
1ST SESSION

S. _____

To reform the Federal sugar program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. SHAHEEN (for herself, Mr. TOOMEY, Mrs. BLACKBURN, Mr. CASEY, Ms. COLLINS, Mr. COONS, Mr. DURBIN, Ms. HASSAN, Mr. JOHNSON, Mr. KAINE, Mr. MARKEY, Mr. MENENDEZ, Mr. PORTMAN, Mr. WARNER, Ms. WARREN, and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reform the Federal sugar program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Sugar Policy Act
5 of 2021”.

6 **SEC. 2. SUGAR PROGRAM.**

7 Section 156(a) of the Federal Agriculture Improve-
8 ment and Reform Act of 1996 (7 U.S.C. 7272(a)) is
9 amended—

1 (1) in paragraph (4), by striking “and” at the
2 end; and

3 (2) in paragraph (5), by striking “2019
4 through 2023 crop years.” and inserting the fol-
5 lowing: “2019 and 2020 crop years; and

6 “(6) 18.75 cents per pound for raw cane sugar
7 for each of the 2021 through 2025 crop years.”.

8 **SEC. 3. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR**
9 **REPEALED.**

10 Part VII of subtitle B of title III of the Agricultural
11 Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is
12 amended to read as follows:

13 **“PART VII—ADMINISTRATION OF TARIFF RATE**
14 **QUOTAS**

15 **“SEC. 359a. TARIFF RATE QUOTAS.**

16 “(a) IN GENERAL.—At the beginning of each quota
17 year, the Secretary shall establish the tariff-rate quotas
18 for raw cane sugar and refined sugar at a level that is
19 not less than the minimum level necessary to comply with
20 obligations under international trade agreements that
21 Congress has approved.

22 “(b) ADJUSTMENT.—

23 “(1) IN GENERAL.—Subject to subsection (a),
24 the Secretary shall adjust the tariff-rate quotas for
25 raw cane sugar and refined sugar to provide ade-

1 quate supplies of sugar at reasonable prices in the
2 domestic market.

3 “(2) ENDING STOCKS.—Subject to paragraphs
4 (1) and (3), the Secretary shall establish and adjust
5 tariff-rate quotas so that the ratio of sugar stocks
6 to total sugar use at the end of each quota year
7 shall be approximately 15.5 percent.

8 “(3) MAINTENANCE OF REASONABLE PRICES
9 AND AVOIDANCE OF FORFEITURES.—

10 “(A) IN GENERAL.—The Secretary may es-
11 tablish a different target percentage for the
12 ratio of ending stocks to total use described in
13 paragraph (2) if the Secretary determines the
14 different target percentage is necessary to pre-
15 vent—

16 “(i) unreasonably high prices; or

17 “(ii) forfeitures of sugar pledged as
18 collateral for a loan under section 156 of
19 the Federal Agriculture Improvement and
20 Reform Act of 1996 (7 U.S.C. 7272).

21 “(B) ANNOUNCEMENT.—The Secretary
22 shall publicly announce an establishment of a
23 target percentage under this paragraph.

24 “(4) CONSIDERATIONS.—In establishing tariff-
25 rate quotas under subsection (a) and making adjust-

1 ments under this subsection, the Secretary shall con-
2 sider the impact of the quotas on consumers, work-
3 ers, businesses (including small businesses), and ag-
4 ricultural producers.

5 “(c) TEMPORARY TRANSFER OF QUOTAS.—

6 “(1) IN GENERAL.—To promote the full use of
7 the tariff-rate quotas for raw cane sugar and refined
8 sugar established or adjusted under subsection (a)
9 or (b), respectively, the Secretary shall promulgate
10 regulations that provide that a country that has
11 been allocated a share of the quotas may temporarily
12 transfer all or part of the share to another country
13 that has also been allocated a share of the quotas.

14 “(2) TRANSFERS VOLUNTARY.—A transfer
15 under this subsection shall be valid only on vol-
16 untary agreement between the transferor and the
17 transferee, consistent with procedures established by
18 the Secretary.

19 “(3) TRANSFERS TEMPORARY.—

20 “(A) IN GENERAL.—A transfer under this
21 subsection shall be valid only for the duration
22 of the quota year during which the transfer is
23 made.

24 “(B) FOLLOWING QUOTA YEAR.—No
25 transfer under this subsection shall affect the

1 share of the quota allocated to the transferor or
2 transferee for the following quota year.”.

3 **SEC. 4. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM**
4 **FOR BIOENERGY PRODUCERS.**

5 Section 9010 of the Farm Security and Rural Invest-
6 ment Act of 2002 (7 U.S.C. 8110) is repealed.